

Remarks

Claims 1-5, 7-13, 15-20, 22, and 29-33 are pending. Claims 6, 14, 21, 23-28, and 34 have been previously cancelled. Claims 1-5, 7-13, 15-20, 22, and 29-33 are rejected. Claims 16-20 and 22 are rejected under 35 U.S.C. 101. Claims 1-3, 5, 7-8, 29-31 and 33 are rejected under 35 U.S.C. § 103(a) as being obvious over the combination of U.S. Patent No. 6,606,630 to Gunlock (hereinafter "Gunlock") in view of U.S. Patent No. 6,931,440 to Blumenau et al (hereinafter "Blumenau") and further in view of U.S. Patent Application Publication 2002/0083339 to Blumenau et al (hereinafter "Blumenau et al"). The Examiner rejected claims 16-20 and 22 as being obvious over the combination of Gunlock and Blumenau, further in view of U.S. Patent No. 6,665,714 to Blumenau et al (hereinafter "Blumenau et al, 6,665,714") and Blumenau et al. The Examiner rejected claims 4, 9-13, 15, and 32 under 35 U.S.C. § 103(a) as being obvious over the combination of Gunlock, Blumenau, and Blumenau et al in view of the further combination of Blumenau et al, 6,665,714.

A. Rejections Under 35 U.S.C. 101

The Examiner has rejected claims 16-20 and 22, stating that in giving these method claims their broadest interpretation, these claims can be considered a software program that does not produce a useful, concrete, and tangible result. (Office Action, p.2) Applicants respectfully disagree. In the USPTO's Interim Guidelines for Subject Matter Eligibility, a claimed invention is useful if it is specific, substantial, and credible; it is concrete if it is generally reproducible; and it is tangible if it produces a real world result. Applicants believe that claims 16-20 and 22 are directed to a useful invention in that they are specific, substantial, and credible, providing the useful result of managing, through the use of a centralized and accessible table, which target devices a host bus adapter is authorized to perform port logins to

access. This result is useful because it provides the advantage of conserving resources (available ports) in a situation in which multiple hosts would otherwise unnecessarily login to a target. Applicants believe that claims 16-20 and 22 are concrete because they are generally reproducible by following the steps of the method. Finally, the results of these claims are concrete, because the real world result of querying a fabric for available target devices is that the addresses of devices that a host is authorized to access are stored in a hardware address table for use in managing port logins. Thus, Applicants contend that the invention of claims 16-20 and 22 is useful, concrete, and tangible. Applicants respectfully request that the rejection of these claims under 35 U.S.C. 101 be withdrawn.

B. Rejections Under 35 U.S.C. 103

1. Rule 131 Declaration

A declaration pursuant to 37 C.F.R. § 1.131 is filed with this Response showing that the pending claims were conceived before the filing date of Blumenau, et al. The declarations of Roger Fulghum and Dale Duty were previously submitted to this end. The Examiner stated that the declaration under 37 CFR 1.131 filed on January 8, 2007 was insufficient to overcome the Blumenau et al. reference because it failed to establish conception coupled with due diligence. (Office Action, p.17) The Examiner stated that, at best, the submitted documents, including Exhibit A (Dell DC-02608 invention disclosure), may be used to support conception of the invention prior to December 22, 2000 (the filing date of Blumenau, et al.) (Office Action, p.17) Applicants believe that Exhibit A does indeed support a conception date prior to December 22, 2000, as detailed in the previously submitted declaration of Dale Duty.

In order to provide evidence of facts to establish diligence coupled with conception, Applicants submit the declaration of Khannan Suntharam. The declaration of Khannan Suntharam further demonstrates the present invention was conceived before the filing date of Blumenau et al. on December 22, 2000 and that the Applicants and their counsel were diligent with respect to constructively reducing the invention to practice during the continuous critical period, from a time just prior to the December 22, 2000 to the filing date of this application on January 26, 2001. As such, Applicants request that Blumenau, et al be removed as a reference.

2. All Claim Elements Must be Taught or Disclosed by the Combined References

Applicants submit that a prima facie case of obviousness has not been established and that a rejection of the pending claims on obviousness grounds is improper. A prima facie case of obviousness requires a showing that all of the claim limitations of the rejected claims are taught or suggested by the prior art. Manual of Patent Examining Procedure 2143 and 2143.03. The establishment of a prima facie case of obviousness requires that *all* the claim limitations be taught or suggested by the prior art. MPEP 2143.01 (emphasis added). "All words of a claim must be considered in judging the patentability of that claim against the prior art." *In re Wilson*, 424 F.2d 1382, 1385, 165 U.S.P.Q. 494, 496 (CCPA 1970). Here, because all of the elements of the independent claims are not taught or suggested by the prior art combination identified by the Examiner (Gunlock, Blumenau, Blumenau et al and Blumenau et al, 6,665,714), a prima facie case of obviousness cannot be established and the rejection of these claims should be withdrawn.

3. Blumenau, et al does not teach or suggest storing the unique hardware addresses of authorized target devices for each respective host.

Applicants have noted above that an affidavit has been filed to remove the Blumenau, et al reference as prior art. However, even if the Blumenau, et al reference was prior art, which Applicants do not contend, Blumenau, et al does not teach or suggest a required element of all of the independent claims, either alone or in combination with Blumenau, Blumenau et al 6,665,714, and Gunlock. The element this combination lacks is a unique hardware address table which holds the unique hardware addresses of target devices that **each respective host** is authorized to access.

The Examiner acknowledges that Gunlock, Blumenau, and Blumenau et al 6,665,714 do not teach or suggest target devices which each host bus adapter is authorized to access. (Office Action, p.10). The Examiner states that Blumenau et al teaches a centralized unique hardware address table that contains the unique hardware address of every target device that each respective host is authorized to access. (Office Action, p.10) However, the cited paragraphs in Blumenau et al, paragraphs 41, 44, and 45, do not teach or suggest a table storing unique hardware addresses of every target device that **each host** is authorized to access. Rather, Blumenau et al discusses a "master filter table" which "includes a record for **each HBA that is logged into a port** of the storage system and has at least one logical volume allocated thereto." (Blumenau et al, [0044]). It is clear that the table in Blumenau et al does not contain the unique hardware addresses of **each host**, but rather the hardware identifiers of host bus adapters that are **currently logged into a port** of the storage system. (Blumenau et al. [0044]) The present invention, in contrast to Blumenau et al, does not stipulate that the unique hardware address table contain only the unique hardware addresses of target devices that each host *logged into a port* is

authorized to access. Rather, the unique hardware address table of the present invention contains unique hardware addresses that **each host** (regardless of whether the host is currently logged into a port) is authorized to access. In fact, the host bus adapter for each respective host will not attempt to perform a port login with a target device unless the unique hardware address of that target device is present. Blumenau et al does not teach or suggest a table storing unique hardware addresses of every target device that **each host** is authorized to access. Thus, Blumenau et al does not cure the deficiency of Blumenau, Blumenau et al 6,665,714, and Gunlock, and independent claims 1, 9, 16, and 29 should be passed to issuance.

4. Claims 2-5, 7, 8, 10-13, 15, 17-20, 22, and 30-33

Dependent claims 2-5, 7, 8, 10-13, 15, 17-20, 22, and 30-33 will not be discussed individually herein, as each of these claims depends, either directly or indirectly, from an otherwise allowable base claim. Applicants submit that the rejection of claims 2-5, 7, 8, 10-13, 15, 17-20, 22, and 30-33 should be withdrawn.

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Conclusion

Applicants respectfully submit that pending claims 1-5, 7-13, 15-20, 22, and 29-33 of the present invention are allowable. Applicants respectfully request that the rejection of these claims be withdrawn and that these claims be passed to issuance.

Respectfully submitted,



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